

APPLICATION FOR INITIATIVE OR REFERENDUM PETITION SERIAL NUMBER


Secretary of State
1700 W. Washington Street, 7th Floor
Phoenix, AZ 85007

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SECRETARY OF STATE

The undersigned intends to circulate and file an INITIATIVE or a REFERENDUM (circle the appropriate word) petition and hereby makes application for the issuance of an official serial number to be printed in the lower right-hand corner of each side of each signature sheet of such petition. Pursuant to Arizona Revised Statutes § 19-111, attached hereto is the full text, in no less than eight point type, of the MEASURE or CONSTITUTIONAL AMENDMENT (circle appropriate word) intended to be INITIATED or REFERRED (circle appropriate word) at the next general election.

SUMMARY: A description of no more than one hundred words of the principal provisions of the proposed law, constitutional amendment or measure that will appear in no less than eight point type on the face of each petition signature sheet to be circulated.

Government as envisioned by the founding fathers derived its just powers from the consent of the governed. The Arizona Constitution currently assures government's ability to tax our property in many cases without limit. With your support we will restore what we believe the founding fathers intended, a system of property taxation with sensible limits that allow the voters both the last word on tax increases that would exceed a levy limit and a means to reduce taxes and keep government spending in check. California's landmark property tax reform measure known as Proposition 13 was the inspiration for this amendment.



Signature of Applicant
Marc Goldstone

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Arizona Tax Revolt

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Marc Goldstone, Chairman

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Date of Application	<u>July 25, 2007</u> ^{mcb}
Signatures Required	<u>230,047</u>
Deadline for Filing	<u>July 3, 2008</u>
Serial Number Issued	<u>C-08-2008</u>
FOR OFFICE USE ONLY	

Revised 11/92

CF ID# 200602757

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OFFICIAL TITLE
AN INITIATIVE MEASURE
PROPOSING AMENDMENTS TO ARTICLE IX, SECTION 19 OF THE ARIZONA CONSTITUTION, RELATING TO THE
ARIZONA TAX REVOLT - PROPERTY TAX LEVY ROLLBACK, LEVY LIMITATIONS AND LEVY LIMITATION
PROTECTIONS.

TEXT OF PROPOSED AMENDMENT

Be it enacted by the People of the State of Arizona:

Sec. 1. Short title.

This measure shall be known as the Arizona Tax Revolt - Property Tax Levy Rollback.

Sec. 2. Purpose.

The Arizona Tax Revolt - Property Tax Levy Rollback constitutional amendment will reduce, limit and control the property-tax burden on Arizona taxpayers. Among other things, this constitutional amendment rolls back property tax levies protecting taxpayers from future property tax increases caused by levy increases which, without voter approval, cannot exceed two percent plus the tax attributable to and paid for by new growth.

Sec. 3. Article IX, Section 19, Arizona Constitution, is amended as follows.

19. LEVY ROLLBACK: Limitation on CHANGES annual increases in PROPERTY local ad valorem tax levies; exceptions; VOTER APPROVAL; PRIVATE RIGHT OF ACTION; DEFINITIONS

Section 19. (1) The maximum amount of ad valorem taxes levied by any TAXING ENTITY ~~county, city, town or community college district~~ shall not exceed an amount two PERCENT ~~per cent~~ greater than the amount levied in the preceding year. THIS LEVY LIMITATION SHALL BE INCREASED EACH YEAR TO THE MAXIMUM PERMISSIBLE LIMIT, WHETHER OR NOT THE TAXING ENTITY ACTUALLY LEVIES AD VALOREM TAXES TO SUCH AMOUNTS, EXCEPT THAT THE TAXING ENTITY'S LEVY IN THE YEAR 2009 SHALL BE COMPUTED, IF APPLICABLE AS PRESCRIBED BY THE PROVISIONS OF EITHER PARAGRAPH (a) OR (b) OF THIS SUBSECTION, AND IF NEITHER (a) NOR (b) IS APPLICABLE AS THE ACTUAL TAX LEVY OF THE TAXING ENTITY IN 2005 OR THE TAXING ENTITY'S FIRST LEVY IF SUCH OCCURRED AFTER 2005, THE RESULT OF ANY OF THE FOREGOING COMPUTATIONS SHALL BE FURTHER ADJUSTED SEQUENTIALLY PURSUANT TO SUBSECTIONS (4) AND (5) UNLESS ALREADY INCLUDED IN SUCH AMOUNT.

(a) THE AVERAGE OF THE ACTUAL TAX LEVIES OF THE TAXING ENTITY IN 2005, 2006, 2007 AND 2008, EXCLUDING ANY YEAR OR YEARS IN WHICH THERE WAS NO LEVY. THIS PARAGRAPH SHALL NOT APPLY IF, IN EITHER 2007 OR 2008, THE TAXING ENTITY WITHOUT THE APPROVAL OF AT LEAST TWO-THIRDS OF THE TAXING ENTITY'S QUALIFIED ELECTORS VOTING IN A NOVEMBER ELECTION ENGAGED IN ANY OF THE FOLLOWING:

- (i) LEVIED AD VALOREM TAXES THAT INCREASED BY MORE THAN TWO PERCENT, PLUS ANY LEVY ADJUSTMENT COMPUTED PURSUANT TO THE PROVISIONS OF SUBSECTION (5).
- (ii) LEVIED, COLLECTED, OR ENACTED A NON-AD VALOREM TAX OR ASSESSMENT ON REAL PROPERTY GREATER THAN SUCH AMOUNT WHICH MAY HAVE BEEN LEVIED, COLLECTED OR ENACTED IN THE PRIOR YEAR.
- (iii) ANY NEW INDEBTEDNESS THAT IS OR WILL BE SECURED BY REAL PROPERTY TAXES.

(b) IF, BEGINNING ON JULY 1, 2007:

(i) TWO OR MORE TAXING ENTITIES MERGE OR OTHERWISE COMBINE INTO A SINGLE TAXING ENTITY, THE LEVY OF THE SUCCESSOR TAXING ENTITY IN 2009 SHALL PRIOR TO ADJUSTMENT BY THE PROVISIONS OF SUBSECTIONS (4) AND (5) NOT EXCEED AN AMOUNT EQUAL TO THE SUM OF THE LEVIES OF THE PREDECESSOR TAXING ENTITIES IN 2005.

(ii) A TAXING ENTITY DIVIDES, SPLITS OR OTHERWISE CEDES ITS TAXING AUTHORITY TO ONE OR MORE TAXING ENTITIES, THE LEVY OF THE SUCCESSOR TAXING ENTITY OR IF MORE THAN ONE SUCCESSOR ENTITY THE SUM OF THE LEVIES OF THE SUCCESSOR TAXING ENTITIES IN 2009 SHALL PRIOR TO ADJUSTMENT BY THE PROVISIONS OF SUBSECTIONS (4) AND (5) NOT EXCEED AN AMOUNT EQUAL TO THE PREDECESSOR TAXING ENTITY'S LEVY IN 2005.

(2) SUBJECT TO THE PROVISIONS OF SUBSECTION (4), THE FOLLOWING ARE THE ONLY ITEMS THAT THE limitation prescribed by subsection (1) does not apply to:

- (a) Ad valorem taxes or special assessments levied to pay the principal of and the interest and redemption charges on bonded indebtedness or other lawful long-term obligations issued or incurred for a specific purpose.
- (b) Ad valorem taxes or assessments levied by or for property improvement assessment districts, improvement districts and other special purpose districts other than counties, cities, towns and community college districts.
- (c) Ad valorem taxes levied by counties for support of school districts.

(3) This section applies to all tax years beginning after December 31, 2008, EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION 1981.

(4) ~~The limitation prescribed by subsection (1) shall be increased each year to the maximum permissible limit, whether or not the political subdivision actually levies ad valorem taxes to such amounts, except that beginning in 2007 the limitation prescribed by subsection (1) shall be computed from the actual tax levy of the county, city, town or community college district in 2005.~~

(45) BEGINNING ON AND SUBSEQUENT TO NOVEMBER 5, 2008, THE FOLLOWING VOTER APPROVAL REQUIREMENTS SHALL APPLY ~~to the voters, in the manner prescribed by law, may elect to allow ad valorem taxation in excess of the limitation prescribed by this section:~~

- (a) A TWO-THIRDS VOTE OF THE QUALIFIED ELECTORS OF A TAXING ENTITY VOTING AT A NOVEMBER ELECTION, IN THE MANNER PRESCRIBED BY LAW, IS REQUIRED TO APPROVE:
 - (i) ANY TAX LEVIED, ASSESSED, COLLECTED OR ENACTED BASED ON REAL PROPERTY IN ADDITION TO OR IN EXCESS OF ANY SUCH AMOUNT IN THE PRIOR YEAR, EXCEPT FOR ANY AMOUNT AUTHORIZED BY OR EXEMPT FROM THE PROVISIONS OF SUBSECTION (1).
 - (ii) THE REAL PROPERTY TAX LEVY OF ANY TAXING ENTITY THAT DID NOT ACTUALLY LEVY SUCH A TAX IN THE PRECEDING YEAR.
 - (iii) EACH ITEM SET FORTH IN SUBSECTION (2), UNLESS ANY SUCH ITEM WAS APPROVED PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION. ONCE APPROVED THE LEVYING OF SUCH AMOUNTS DOES NOT REQUIRE SUBSEQUENT VOTER APPROVAL.

(b) TEN PERCENT OF THE QUALIFIED ELECTORS OF A TAXING ENTITY, IN A MANNER PRESCRIBED BY LAW, MAY PETITION THE GOVERNING BODY OF THE TAXING ENTITY TO REDUCE THE TAXING ENTITY'S LEVY LIMITATION BY A SPECIFIED AMOUNT NOT TO EXCEED TWENTY PERCENT OF ITS PREVIOUS LEVY. THE PETITIONERS SHALL HAVE AT LEAST EIGHTEEN MONTHS BUT NOT MORE THAN TWENTY-FOUR MONTHS TO COLLECT AND FILE THE PETITION SIGNATURES. IF, WITHIN TWO MONTHS AFTER SUBMITTING THE REQUIRED NUMBER OF PETITION SIGNATURES, THE GOVERNING BODY FAILS TO REDUCE THE LEVY LIMITATION BY THE PETITIONED AMOUNT, THE GOVERNING BODY